

## Resumé

My diploma thesis is focused on unfair competition in the law of Czech Republic. The law of unfair competition is a coherent field of regulation as regards the economic competition. This sub-branch of law is a specific area of the civil law systems. Whilst antitrust, mergers and dominance on the market are subjects to the statutes using administrative methods of regulation. Competitors who used the unfair practices can be sued in civil proceedings directly by those harmed by such behavior. This thesis has two main parts, both divided into chapters and sub-chapters.

First part deals with the legal regulation of unfair competition in Czech Republic and in second part I compare Czech regulation of unfair competition with the Polish one. First of all I explain the reader the terms „economic competition“ and „unfair competition“. The following chapter is devoted to the history of unfair competition, especially the beginning of legal regulations, international treaties related to unfair competition and the history of Czechoslovak and Czech legal regulation.

The key point of my thesis is the analysis of legal regulation of unfair competition in Czech Commercial Code (Act 513/1991 Sb). I have primarily focused on a general provision of the unfair competition, relation of this general provision to provisions on particular subject-matters, subject of legal relationship concerning to unfair competition and legal means of protection against an unfair competition.

All relevant provisions of the law of unfair competition are contained in the first part, chapter five, sections 41-54 of Czech Commercial Code. The core of the legal regulations resides in section 44 (1) of the Commercial Code. It is commonly named the general clause of unfair competition practice. The respective subject-matters (sections 45-52 Czech Commercial Code) constitute a demonstrative basic list of the types of unfair competition.

In the chapter devoted to the subjects of legal relationship I deal with consumers, competitors and other entities performing an illegal act of unfair competition.

The legal rules of protection against unfair competition could be divided into two groups. First one - the private law protection which includes legal means under the Commercial Code and legal means under Civil Code. Second one - public law protection which includes provisions under the penal and administrative law.

In second part of my work I analyse Polish Act on protection against unfair competitive practices (Dz.U. 1993 Nr 47 poz. 211) and I compare Polish and Czech regulation of general clauses, subjects of legal relationship concerning to unfair competition and legal means of protection against the unfair competition. In the end of every chapter devoted to comparison of legal provisions connected with unfair competition I tried to conclude with a brief description of differences and similarities between these two Acts.

Due to membership of the Czech republic and Poland in the Europe Union, legal competition rules have a lot in common.

I am deeply convinced that my thesis shall contribute to the entire academic community and that it should lend a helping hand to the law faculty students who are interested in very attractive problems of unfair competition.